IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Regular Second Appeal No. 519 of 2007(O&M)

Date of decision: 02.03.2007

Shyam Lal Tanwar

..... Appellant.

Versus

The Financial Commissioner and others

..... Respondents.

CORAM: HON'BLE MR. JUSTICE M.M. AGGARWAL

Present:- Mr. V.S. Bhardwaj, Advocate
for the appellant.

M.M.AGGARWAL, J. (ORAL)

CM No. 1862-C of 2007:

This is an application for early hearing of RSA No. 519 of 2007.

Application is allowed.

CM No. 1483-C of 2007

Delay is condoned on the grounds mentioned in the application.

Main Appeal

This is an appeal against the judgment dated 22.08.2006 passed by Additional District Judge, Sonepat whereby an appeal filed by the present appellant against the judgment of the trial Court dated 17.03.2006, was dismissed.

Plaintiff now appellant is stated to have joined the service in the office of Accountant General Officer, Haryana, Shimla in the year 1971 and is now working as Revenue Officer in the Revenue Department of State of Haryana. According to him, his actual date of Birth is 07.03.1952 but it was wrongly mentioned as 06.06.49. He filed a suit for declaration for correction in the date of birth and for seeking retirement taking the date of birth to be 07.03.1952. The trial Court had dismissed his suit and appeal filed by the plaintiff, had also dismissed.

From the perusal of the judgment, it would come out that although appellant had joined service in the year 1971. Still, he agitated the time of his date of birth for the first time only in the year 2001 when very short time was left for his retirement from the service.

There are concurrent findings. No law point involved in this appeal.

Dismissed.

March 02, 2007 **(M.M. AGGARWAL)**
Dinesh **JUDGE**